

DRAFT Family Home Child Care Licensing Rules – Program Section

Dear Parents, Family Home Child Care Providers, and Other Interested Persons,

On the following pages you will find the early draft of the **Program** section of the Family Home Child Care licensing rules. This is a working draft prepared by the Negotiated Rule Making Team (NRMT), a group that is making recommendations to the Department of Early Learning (DEL) about the licensing rules. This draft has not been endorsed as an official DEL draft or proposed rule. Other sections of the working draft rules are available on the DEL Web site at: <http://www.del.wa.gov/laws/development/negotiated.aspx>.

Please remember that is a very early draft – you will have a chance to see and comment on future drafts before the rules become final.

The NRMT and DEL are asking that you take time to look over this early draft. Your experience and insight are needed! What you tell us will help improve the rules. In the left column are the NRMT's recommended draft rules. In the right column is the current rule requirement. As you look over the draft new rules and current rules, think about the following:

- Are the draft new rules stated clearly?
- Are the draft rules easy to understand and follow?
- What would make the rule work better?

How to give your input. You can send an e-mail with your comments, suggestions or questions to DEL at Rules@del.wa.gov. Or, send your thoughts by fax to 360-413-3482, or mail them to: DEL Rules Coordinator, PO Box 40970, Olympia, WA 98504-0970. We will keep taking comments on this draft until the next draft version is ready for release.

What happens to your comments? All input from around the state will be considered by the DEL and the Negotiated Rule Making Team in writing the next draft of the rules.

What is the Negotiated Rule Making Team? The Negotiated Rule Making Team is helping DEL review and revise the Family Home Child Care WAC 170-296. Licensed child care providers, parent and provider advocates, the Service Employees International Union 925, the Child Care Resource & Referral Network, and DEL staff are on this team. The team is guided by the principle that licensing rules must support a child's right to have safe and healthy child care.

What happens next? Other parts of the draft rule will be available for your review soon. A second draft of the entire WAC chapter will be available in spring of 2010. Around mid-2010, DEL plans to send out the formal rule proposal required by law. DEL will hold public hearings and accept more written comments on the proposal at that time. DEL plans to adopt the final rules in late 2010.

Remember, this is an early draft. You will get to see the draft rules again before they are final!

WAC 170-296 Early Preliminary Draft for Input - There will be other opportunities for input before these rules are adopted.

NRMT Recommended - Preliminary Draft WAC (WAC Numbers are temporary) Program - Nov. 2009	CURRENT WAC
Program	
Outings/Field Trips	
<p>Permissions; Safety Plan</p> <p>170-296-7501 The licensee must receive from the parents written permission for any off-premises activities.</p> <p>170-296-7502 The licensee must share with the parents a written safety plan for all off premises activities.</p>	<p>170-296-0490 (1e): You must develop written procedures for off-site activities</p>
<p>Water activity – supervision</p> <p>170-296-7503 When the licensee takes children near water that is accessible and more than four-inches deep there must be:</p> <ul style="list-style-type: none"> (1) A lifeguard on duty, or (2) One additional staff member above the required staff child ratio to help with the children (refer to Capacity and ratio section). 	<p>170-296-0750 (6): A certified lifeguard must be on duty when children are using public or private (other than your own) swimming pool, lake, river, pond, ocean, or any other body of water used for swimming.</p>
<p>Outing supervision</p> <p>170-296-7505 The licensee and other adults responsible for the care of the children must provide supervision where they can promptly assist or redirect activities when necessary.</p>	<p>170-296-1360</p> <p>What am I required to do to supervise children?</p> <p>(4) The supervision you provide must ensure that you are aware of what the children are doing at all times and can promptly assist or redirect activities when necessary.</p>

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<p>First Aid Kit</p> <p>170-296-7506 The licensee must have a required first aid kit for:</p> <ul style="list-style-type: none"> (1) Use on all field trips and (2) In the vehicle every time the children are transported 	<p>170-296-0830: You must keep a first-aid kit on hand for immediate use on a field trip and in your vehicle if you transport children</p>
<p>Outings – emergency supplies</p> <p>170-296-7508 Emergency supplies must include:</p> <ul style="list-style-type: none"> (1) A First Aid kit (2) An individual child’s required medication including medication permission form (3) Syrup of ipecac or other emetic (<i>definition</i>) (4) Emergency form for each child, including an immunization record (CIS). 	<p>170-296-1250 What are the requirements I must follow when I transport children?</p> <ul style="list-style-type: none"> (7) You must have a first-aid kit and a copy of the child's completed enrollment form in the vehicle; and (8) You must perform an attendance count of children when getting in and out of the vehicle to prevent accidentally leaving a child in the vehicle.
<p>Transportation</p>	
<p>170-296-7510 When transporting children the licensee must:</p> <ul style="list-style-type: none"> (1) Follow the current law regarding child restraints and car seats (2) Have a copy of the child’s completed enrollment form in the vehicle 	<p>170-296-1250 What are the requirements I must follow when I transport children?</p> <p>When you transport children under your care, you must follow these requirements.</p> <ul style="list-style-type: none"> (1) You must keep the vehicle in a safe operating condition;

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<p>170-296-7512 Children may be transported using public transportation.</p> <p>170-296-7513 Ratios must be maintained when transporting children.</p> <p>170-296-7514 Children must not be transported for more than one hour per one-way trip on a routine basis.</p>	<p>(2) The driver must have a valid driver's license;</p> <p>(3) There must be at least one staff person other than the driver in a vehicle when:</p> <p style="padding-left: 40px;">(a) Staff-to-child ratio guidelines require a second staff person (see WAC 170-296-1350(3)); or</p> <p style="padding-left: 40px;">(b) The child's specific needs require a second staff person.</p> <p>(4) The driver or owner of the vehicle must be covered under an automobile liability insurance policy;</p> <p>(5) The number of passengers must not exceed the vehicle's seat belts;</p> <p>(6) All persons in the vehicle must use seat belts or approved child passenger restraint systems, as required by law, whenever the vehicle is in motion;</p> <p>(7) You must have a first-aid kit and a copy of the child's completed enrollment form in the vehicle; and</p> <p>(8) You must perform an attendance count of children when getting in and out of the vehicle to prevent accidentally leaving a child in the vehicle.</p>
<p>Developmental Activities</p> <p>Activity Schedule</p> <p>170-296-7515 The licensee must have a posted typical daily schedule. A typical daily schedule includes:</p> <ol style="list-style-type: none"> (1) Hours of operation (2) Types of activities, including screen-time (3) General timelines for activities (4) Routine transportation times (5) Meal service (6) Rest periods and 	<p>170-296-0490 (1b): You must develop written procedures for: (b) Routine communication with parents about their child's activities</p> <p>170-296-0500 (3): You are required to give to parents a copy of ... A typical daily schedule, including hours of operation</p> <p>170-296-1370 What types of play materials, equipment and activities must I provide for the children in my care?</p> <p>2(a-g) The daily schedule must provide:</p> <p style="padding-left: 20px;">(a) Individual, small group and large group activities</p>

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<p>(7) Outdoor times.</p>	<p>(b) Many opportunities for success through open-ended activities (c) An environment of respect for individual and cultural diversity (d) Opportunities for children to solve problems, initiate activities, experiment and gain mastery through learning by doing (e) Opportunities to explore science, dramatic play, music, language arts and mathematical concepts (f) A balance between staff-directed and child-initiated activities. Staff voices must not dominate the overall sound of the group (g) Infants and toddlers with ample opportunities to move about freely in a safe area</p>
<p>170-296-7516 The daily schedule must promote the child's: (1) Social, emotional and self development; (2) Positive self-concepts; (3) Language and literacy; and (4) Physical development, including daily opportunities to develop the child's small and large muscles.</p>	<p>170-296-1370: Keep (1a-e) list with revisions, but move references to cultural diversity to that section. 170-296-1370 (2a-g): Allow for both open-ended and structured activities.</p>
<p>170-296-7517 The indoor and outdoor settings must support the child's: (1) Strengthening large and small muscles; (2) Encouraging eye-hand coordination; (3) Body awareness; (4) Rhythm and movement; (5) Creative expression; and (6) Appreciation for the arts.</p>	<p>170-296-1370 (1d): Physical development in both indoor and outdoor settings, strengthening large and small muscles and encouraging eye-hand coordination, body awareness, rhythm and movement</p>
<p>Program activities</p>	<p>New</p>

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<p>170-296-7518 The licensee will describe how their environment nurtures discovery and learning.</p> <p>170-296-7519 The licensee may also demonstrate evidence of program activities by:</p> <ul style="list-style-type: none"> (1) Displaying; (2) In writing; or (3) On a checklist. 	
<p>Nap Time</p> <p>170-296-7520 The licensee must offer a supervised rest period.</p> <p>[Refer to Infant Care subchapter for infant sleeping requirements.]</p> <p>170-296-7522 The supervised rest period must be:</p> <ul style="list-style-type: none"> (1) A minimum of thirty minutes; and (2) Offered to all children five years of age and under who remain in care for more than 6 hours; or (3) Offered to any child who shows a need for rest <p>170-296-7524 The licensee must not force a child to sleep.</p> <p>170-296-7524 The licensee must provide quiet activities for the children that</p>	<p>170-296-1080: You must offer and supervise a rest period of at least thirty minutes for the child;</p> <ul style="list-style-type: none"> (a) Five years of age and under who remaining care for more than 6 hours; or (b) Showing a need for rest. <ul style="list-style-type: none"> (2) You must not require or force children to sleep. (3) You must provide a space, away from the napping children, for quiet play for children who don't require sleep.

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do not require rest. These activities must be offered with a minimum of disruption to sleeping children.	
Screen Time (to be defined)	
<p>170-296-7525 Screen time must be developmentally and age appropriate, and must not have violent or adult content.</p> <p>170-296-7526 The licensee must provide children’s activities that are not primarily screen time.</p> <p>170-296-7527 The licensee must: (1) Limit screen time for any child to less than two hours a day. (2) Not force children to participate in screen time; and (3) Provide alternative activities to screen time.</p> <p>170-296-7528 The licensee must minimize the exposure to screen time for children under the age of two by: (1) Moving the child away from the screen; and (2) Providing alternative activities.</p>	<p>170-296-1370 (3)(c) Age-appropriate alternatives to television must be available for children during TV or video watching and appropriate for the number and ages of the children in care.</p>
Special Programs-Special Needs	
170-296-7530 The following shall apply throughout this chapter:	New

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<p>An exception to these rules may be allowed for special needs of an individual child with:</p> <ul style="list-style-type: none"> (1) (a) A DEL approved written plan signed by parent; and <li style="padding-left: 20px;">(b) Supporting professional documentation regarding the child's individual needs. (2) This documentation must be from one of the following professionals: <ul style="list-style-type: none"> (a) Health; (b) Mental health; (c) Education; (d) Social service with bachelors or higher degree with specialization knowledge related to child's needs; or (e) A nurse. (3) The documentation must be in the form of a: <ul style="list-style-type: none"> (1) Individual education plan (IEP), (2) Individual health plan (IHP), or (3) Individual family plan (IFP). <p>170-296-7535 The licensee must request DEL approval to count a child with documented special needs in ratio when the child is over the maximum age allowed on the license.</p>	
Diversity	
<p>170-296-7540 The licensee must discuss with the licensor and families of enrolled children how the child care environment reflects the children's:</p>	<p>170-296-1370 (1): You must provide. . . culturally relevant activities and materials in the required quantity and variety to meet the needs and interests of children being served.</p>

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<p>(1) Daily life; (2) Family culture; and (3) Language.</p> <p>170-296-7545 The licensee must discuss with the licensor how their child care environment reflects the diversity found in society including but not limited to:</p> <p>(1) Gender; (2) Age; (3) Race; (4) Language; and (5) Abilities.</p>	<p>170-296-1370 (2)(c): An environment of respect for individual and cultural diversity</p>
<p>Overnight Care</p>	
<p>170-296-7550 If the Licensee provides overnight care:</p> <p>(a) The Licensee must be awake until all children in care are asleep.</p> <p>(b) The written schedule must include evening or overnight care.</p> <p>(c) Deadbolts may be used on doors during nighttime care. [See Indoor Environment for safety plan required].</p>	<p>170-296-0290 What hours may a family home child care be open?</p> <p>(1) You may operate your family home child care business twenty-four hours a day.</p> <p>(2) If you provide nighttime care you or a qualified primary staff person must be awake when children are dropped off and picked up at your home.</p> <p>(3) A child may remain in care a maximum of ten hours each day. If needed, you may extend the time based on the parent's typical work schedule and travel from and to the child care.</p> <p>(4) If you provide nighttime care you must adapt the activities, routines and equipment to meet the physical and emotional needs of the child away from home at night. These must include:</p>

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	<ul style="list-style-type: none"> (a) Arrangements made for bathing as needed; (b) Standard night wear and individual toiletry items for each child; (c) The required beds and bedding (WAC 170-296-1070); (d) Separate dressing and sleeping areas for boys and girls ages four years and older and for other children demonstrating a need for privacy; (e) Maintain staff to child ratios during sleeping hours; (f) A plan approved by the licensor describing how you will ensure the physical safety and emotional well-being of children during sleeping hours.
<p>Beds 170-296-7555 The licensee must provide every child a place to sleep that:</p> <ul style="list-style-type: none"> (1) Is safe operable condition; (2) Is waterproof or washable; and (3) Meets the child's developmental needs <p>170-296-7556 The licensee must provide bedding for each individual child that:</p> <ul style="list-style-type: none"> (1) Is clean (2) Is waterproof or washable (3) Meets the child's developmental needs <p>170-296-7558 Children under six years of age must not:</p>	<p>170-296-1070 What are the requirements for beds?</p> <ul style="list-style-type: none"> (1) Each child in overnight care must have their own bed. The bed must be at least twenty-seven inches wide with a clean and comfortable mattress in good condition. (2) For each child in care who is two years and older, you must provide a pillow and pillowcase, blankets, and sheets. A slumber bag, designed for indoor use can substitute for a blanket and sheet. (3) Pillows must be covered with waterproof material or be washable. (4) Bedding must be clean. (5) If the child using the mattress is not toilet trained, you must provide waterproof mattress covers or moisture resistant mattresses. (6) You may use toddler beds with a standard crib mattress that is

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(1) Use loft style beds or (2) Upper bunks of double-deck beds.	sufficient in length and width for the child's size. (7) You must not allow children under the age of six years to use loft style beds or upper bunks of double-deck beds. (8) You may use a mat for napping but not as a substitute for a bed.

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